

Applicants structure corresponding to these means is illustrated in Fig. 3. Nothing comparable is found in JP 63-001032.

The second claimed element is proximity effect correcting means. Once again, Applicants can not find any structure in the reference that would meet this limitation. As Applicants understand what is disclosed in the reference, it uses pre-storage of values to achieve its results, not the type of computation disclosed and claimed. The pre-storage does not necessarily result in perfectly even exposure, as Fig. 2 illustrates. But, it has the advantages indicated in the last paragraph of the translation, for example, "in the case of departing or overlapping the patterns, that effect will increase by irradiating a negative resist or a positive resist in a little overdose." As show in Fig. 2 by dividing the pre-stored pattern into P1, P11, P21 and P2, in the area of overlap the exposure is not less than 0.5 or more than 1.5, thereby preventing the overexposure.

Finally, the reference has no judging means. Again Applicant's note relationships are predefined. There is no teaching of any structure for judging as the claim requires.

As to the remaining claims, Applicants can find nothing in the reference teaching or suggesting:

1. Any reliance on diagonals and mesh boundaries for judging (even if there were judging means) as claimed in claim 2.
2. A map creating means which carries out the additions of claim 3. Note what is added in Fig. 1 of the reference are the exposures, not values used to create a map.
3. The N x M memories, which are claimed in increasing level of detail in claims 4-10. These claims include all of the limitations of the claims discussed above and are allowable for that reason. But, even if claims 1-3 were anticipated, the Examiner has fallen far short of demonstrating obviousness of the additional limitations in these claims. The requirement for establishing a *prima facie* case of obviousness are well stated in the MPEP and will not be repeated here. Recent court decisions have reaffirmed the need for the Examiner to point to

teaching in the art, and not just rely a simple allegation of obviousness without support, as was done here.

In view of the above, all claims in this application are in condition for allowance, prompt notice of which is respectfully solicited.

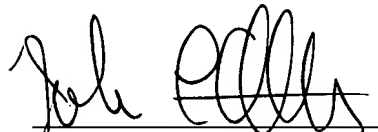
The Examiner is invited to call the undersigned at (202) 220-4200 to discuss any information concerning this application.

Applicants respectfully request a three month Extension of Time to respond to the Office Action of August 14, 2001. The extended period expires February 14, 2002.

The Office is hereby authorized to charge the fee of \$920.00 for a Petition for Extension of Time Under 37 C.F.R. § 1.136(a) and any additional fees under 37 C.F.R. § 1.16 or § 1.17 or credit any overpayment to Deposit Account No. 11-0600.

Respectfully submitted,

Date: February 14, 2002


John C. Altmiller
Registration No. 25,951

KENYON & KENYON
1500 K Street, N.W., Suite 700
Washington, D.C. 20005
Tel.: (202) 220-4200
Fax.: (202) 220-4201